

Case No.: 04-689

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Method for Spinning and Reeling Polyester Multifilament Yarns by Using Spinning Additives, and Polyester Multifilament Yarns Obtained by Said Spinning Method**

which is the U.S. National Phase of PCT/EP03/01783 and the specification of which is attached hereto unless the following space is checked:

☒ was filed on September 24, 2004 as United States Application Serial Number 10/508,961.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

|    | <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> |
|----|---------------|----------------|-----------------------------|
| 1. | 102 13 921.0  | DE             | 28 March 2002               |
| 2. |               |                |                             |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

|    | <u>Application Number</u> | <u>Filing Date</u> |
|----|---------------------------|--------------------|
| 1. |                           |                    |
| 2. |                           |                    |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

|    | <u>Application Number</u> | <u>Filing Date</u> |
|----|---------------------------|--------------------|
| 1. | PCT/EP03/01783            | 21 February 2003   |

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: 020306

Principal attorney or agent: Michael S. Greenfield

Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Ulrich Mirwaldt (deceased)

Inventor's Residence: Maintal, Germany

Inventor's Citizenship: Germany

Inventor's Post Office Address: Goethestrasse 131, Maintal, Germany 63477

Legal representative of Ulrich Mirwaldt signing on behalf of Ulrich Mirwaldt (deceased):

X NAME: M. Mirwaldtova  
(signature)X Date: 1.2.2005Signed by: Maria Mirwaldtovā, Legal Representative of the Estate of Ulrich Mirwaldt  
Name (Print or Type): (wife)Representative's Residence: 63477 MAINTALRepresentative's Citizenship: SLOWAKISCHRepresentative's Post Office Address: GOETHESTR. 131

Legal representative of Ulrich Mirwaldt signing on behalf of Ulrich Mirwaldt (deceased):

X NAME: T. Mirwaldt  
(signature)

X Date: 01.02.2005

Signed by: Thomas Mirwaldt, Legal Representative of the Estate of Ulrich Mirwaldt  
Name (Print or Type):  
(son)

Representative's Residence: 63477 MAIN TAL

Representative's Citizenship: DEUTSCH

Representative's Post Office Address: GOETHESTR. 131

Legal representative of Ulrich Mirwaldt signing on behalf of Ulrich Mirwaldt (deceased):

X NAME: P. Mirwaldt  
(signature)

X Date: 01.02.2005

Signed by: Peter Mirwaldt, Legal Representative of the Estate of Ulrich Mirwaldt  
Name (Print or Type):  
(son)

Representative's Residence: 63477 Maintal

Representative's Citizenship: deutsch

Representative's Post Office Address: Goethestr. 131

Notarization:

**UR-Nr. 27 der Urkundenrolle für 2005**

1 Wort  
berichtigt



Umstehende, heute vor mir vollzogene Unterschrift der

*Handwritten signature of Dieter Ries*  
Notar

1. Frau Maria Mirwaldtova, geb. Bizonova, geb. am 11.12.1956,  
ausgewiesen durch Reisepaß Nr. 4687478 der Republik ~~Slowenien~~, Slowakei,
2. Herrn Peter Mirwaldt, geb. am 03.04.1985,  
ausgewiesen durch Bundespersonalausweis Nr. 4130511845,
3. Herrn Thomas Mirwaldt, geb. am 03.04.1985,  
ausgewiesen durch Bundespersonalausweis Nr. 4130511889,  
alle wohnhaft: Goethestraße 131, 63477 Maintal,

beglaubige ich hiermit.

Die Frage nach einer Vorbefassung i. S. von § 3 Abs. 1 Ziffer 7 BeurkG wurde verneint.

Maintal, 01. Februar 2005

*Handwritten signature of Dieter Ries*  
Ries  
Notar



**Notarkostenberechnung**

Leistungszeit: 01.02.2005

berechnet nach der Kostenordnung für Notare gem. §§ 141, 154 KostO.

Geschäftswert: 25.000,00 €

|  |      |                       |
|--|------|-----------------------|
| Beglaubigung von Unterschriften (ohne Entwurf) §§ 32, 141, 45 I KostO  | 5/20 | 21,00 €               |
| Auslagen und Post- und Telekommunikationsentgelte §§ 137, 152 II KostO |      | 2,00 €                |
| Zwischensumme netto  |      | 23,00 €               |
| 16 % Mehrwertsteuer § 151a KostO                                       |      | 3,68 €                |
| <b><u>Gesamtbetrag dieser Rechnung</u></b>                             |      | <b><u>26,68 €</u></b> |

*Handwritten signature of Dieter Ries*  
Notar

Hinweis gem. BDSG: Persönliche Daten werden per EDV gespeichert.

19 MAR 2005

## DECLARATION

We, Zimmer AG, hereby declare that our employee, Ulrich Mirwaldt, has deceased on August 10, 2003.

We declare further that according to German patent practice all rights of the invention:

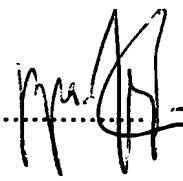
German Patent Application No. 102 13 921.0

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have passed from U. Mirwaldt to the Applicant as employer.

Date: October 18, 2004

Zimmer AG

faase 

Encl.: Notarized Death Certificate

Hanau, den 13. August 2003

Karl-Ulrich Mirwaldt, Textilingenieur, -/-

wohnhaft in Maintal, Goethestraße 131, -/-

ist am 10. August 2003 -/-

um 22 Uhr 31 Minuten

in Hanau, Leimenstr. 20 -/-

verstorben.

Der Verstorbene war geboren am 03. November 1942 -/-

in Elbing (Ostpreußen). -/-

Der Verstorbene war verheiratet mit Mária Mirwaldtová geb. -----

Bizonová. -/-

Eingetragen auf mündliche - schriftliche - Anzeige des Klinikums Stadt -----

Hanau. -/-

persönlich bekannt - ausgewiesen durch

Vorgelesen, genehmigt und unterschrieben

Der Standesbeamte

Ablichtung aus dem Sterbebuch (Sterberegister) des Standesamts

**HANAU**

Die Übereinstimmung mit dem Eintrag wird hiermit beglaubigt. Die Ablichtung enthält

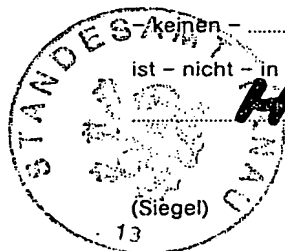
keinen Randvermerk(e); die Bezeichnung des Sterbeortes

ist nicht in ----- geändert worden.

**HANAU**

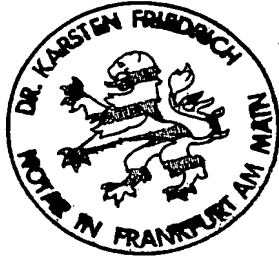
den 13. 08. 2003

Der Standesbeamte



Die wörtliche Übereinstimmung der  
vorstehenden Fotokopie mit der  
Urschrift wird hiermit beglaubigt.  
Frankfurt am Main, den 4.9.2004

  
Notar



Case No.: 04-689

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

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or PCT international filing date of this application.

|    | <u>Application Number</u> | <u>Filing Date</u> |
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| 1. | PCT/EP03/01783            | February 21, 2003  |

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Customer Number: **020306**  
Principal attorney or agent: **Michael S. Greenfield**  
Telephone number: **312-913-0001**

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Full name of first inventor: Ulrich Mirwaldt

Inventor's signature: see Separate Declaration Date: \_\_\_\_\_

Residence: Maintal, Germany  
Citizenship: Germany  
Post Office Address: Goethestrasse 131, Maintal, Germany 63477

Full name of second joint inventor: Eckhard Seidel

Inventor's signature: Eckhard Seidel Date: 02 Nov. 2004

Residence: Frankfurt am Main, Germany  
Citizenship: Germany  
Post Office Address: Wilhelmshöher Strasse 18d, Frankfurt am Main, Germany 60389

Full name of third joint inventor: Dietmar Wandel

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Hanau, Germany

Citizenship: Germany

Post Office Address: Johannes-Machern-Strasse 8, Hanau, Germany 63456

Case No.: 04-689

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or PCT international filing date of this application.

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Full name of first inventor: Ulrich Mirwaldt

Inventor's signature: see Separate Declaration Date: \_\_\_\_\_

Residence: Maintal, Germany  
Citizenship: Germany  
Post Office Address: Goethestrasse 131, Maintal, Germany 63477

Full name of second joint inventor: Eckhard Seidel

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Frankfurt am Main, Germany  
Citizenship: Germany  
Post Office Address: Wilhelmshöher Strasse 18d, Frankfurt am Main, Germany 60389

Full name of third joint inventor: Dietmar Wandel

Inventor's signature: *Dietmar Wandel*

Date: 27 October 2004

Residence: Hanau, Germany

Citizenship: Germany

Post Office Address: Johannes-Machern-Strasse 8, Hanau, Germany 63456